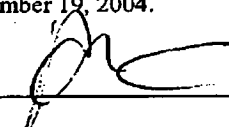


**The Culbertson Group, P.C.***Intellectual Property Attorneys and Counselors*Phone: 512.327.8932  
Fax: 512.327.26651114 Lost Creek Blvd.  
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Austin, TX 78746**CONFIDENTIAL  
TELECOPY MESSAGE****RECEIVED  
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NOV 19 2004**TO: Examiner Cao H. Nguyen  
FROM: Russell D. Culbertson  
RE: Application Serial No. 09/931,298  
OUR FILE NO.: AUS9-2001-0448-US1  
(Our File No. 956.1064)DATE: November 19, 2004  
PAGES INCLUDING COVER: 9  
FAX NO.: 703-872-9306**MESSAGE:****RE: SERIAL NO. 09/931,298  
GROUP ART UNIT 2173****ATTACHED PLEASE FIND THE FOLLOWING:****TRANSMITTAL (PTO/SB/21)  
FEE TRANSMITTAL (PTO/SB/17)  
AMENDMENT UNDER 37 C.F.R. § 1.312***Thank you!***CERTIFICATE OF FACSIMILE**

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

09/931,298

Filing Date

August 16, 2001

First Named Inventor

William Elton Burky

Art Unit

2173

Examiner Name

Cao H. Nguyen

Attorney Docket Number

AUS9-2001-0448-US1

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment Under 37 C.F.R. 1.312



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

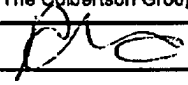
Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

The Culbertson Group, P.C.

Signature



Printed name

Russell D. Culbertson

Date

19 Nov 2004

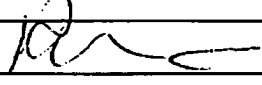
Reg. No.

32,124

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Signature



Typed or printed name

Russell D. Culbertson

Date

19 Nov 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 0.00**Complete if Known**

Application Number	09/931,298
Filing Date	August 16, 2001
First Named Inventor	William Elton Burky
Examiner Name	Cao H. Nguyen
Art Unit	2173
Attorney Docket No.	AUS9-2001-0448-US1

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

09-0447

IBM Corporation

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b> (\$ )			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b> (\$ ) 0.00		

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0.00**SUBMITTED BY**

Name (Print/Type)	Russell D. Culbertson	Registration No. (Attorney/Agent)	32,124	Telephone	512.327.8932
Signature		Date	19 Nov 2004		

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**NOV 19 2004**PATENT  
956.1064

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
William Elton Burky )  
Serial No.: 09/931,298 ) Group Art Unit: 2173  
Filed: August 16, 2001 ) Examiner: Cao H. Nguyen  
FOR: METHOD, PROGRAM, PRODUCT, )  
AND PROCESSING SYSTEM FOR )  
PERFORMING OBJECT EDITING )  
THROUGH IMPLICIT OBJECT SELECTION ) Via Facsimile: 703-872-9306

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.312

In response to the Notice of Allowability mailed October 14, 2004, in the above-identified application, the Applicants respectfully request the following changes to correct typographical errors in the specification.